

#13/508  
3/6/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Ira Herman, *et al.*

Serial No.: 09/750,590

Filed: December 28, 2000

For: "Beta-CAP73 Control of Normal and Abnormal Cell Migration"

Attorney Docket No.: TUI-001CP

Group Art Unit: 1632

Examiner: Pappu, Sita S

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Commissioner for Patents  
Washington, D.C. 20231

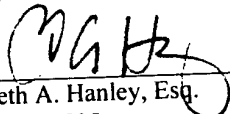
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February 6, 2002

Date of Signature and of Mail Deposit

By:

  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action dated January 15, 2002 (Paper No. 12).

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-12, 20-22, drawn to an isolated nucleic acid molecule, vector and host cell, a method for detecting the presence of a nucleic acid molecule, and a kit comprising a compound which selectively hybridizes to a nucleic acid molecule, classified in class 435, subclass 320.1.

- II. Claims 13-15, 23-26, drawn to an isolated polypeptide, a method for identifying a compound which binds to a polypeptide using a test compound, classified in class 530, subclass 300+.
- III. Claims 16-19, drawn to an antibody and a kit comprising the antibody, classified in class 530, subclass 387.1+.
- IV. Claims 27-28, drawn to gene therapy for treating a disease and a pharmaceutical composition comprising a vector, classified in class 514, subclass 44.

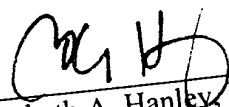
Applicants hereby elect the Group I invention (claims 1-12, 20-22) for prosecution in this application, *without traverse*.

### SUMMARY

If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' Attorney at (617) 227-7400.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

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Tel. (617) 227-7400

Date: February 6, 2002



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Re: U.S. Patent Application Serial No. 09/750,590  
Title: "*Beta-CAP73 Control of Normal and Abnormal Cell Migration*"  
Inventors: Ira Herman and Alice Welch  
Filing Date: December 28, 2000  
Our Reference No. TUI-001CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

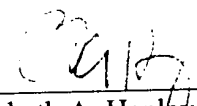
1. Response to Restriction Requirement (2 pages); and
2. Pre-Paid Acknowledgment Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

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February 6, 2002	Date
Elizabeth A. Hanley, Esq.	Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
Elizabeth A. Hanley, Esq.  
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